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EXAMINER	
PHUONG, DAI	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/533,245	DAM NIELSEN ET AL.	
	Examiner	Art Unit	
	DAI A. PHUONG	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 February 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-19 and 21-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3-19, 21-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 April 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Argument

1. Applicant's arguments filed 02/09/2009 have been fully considered but they are not persuasive. Please see explanation below.

Applicant, on page 9 of the remark, argues that Kamimura is silent about any message of a type, which has two data fields, i.e. a message which both has a control data portion and a message data portion, where the control data portion includes a message sender identity, and where any controller or computer is adapted to determine the sender of the received electronic message from the message sender identity. Kamimura only discloses that "the control unit 1 O0 detects an e-mail address in the received incoming message signal" but not how the e-mail address is detected, e.g. that the e-mail is likely associated with the e-mail address - corresponding to the electronic message as claimed - should contain two data fields, namely a dedicated control data portion and a message data portion, where the control data portion includes a message sender identity. However, the Examiner respectfully disagrees.

Kamimura discloses in paragraph 10 that a communication apparatus has received an incoming call signal or **incoming message signal**, where the apparatus can repeatedly display images previously stored in a storing unit. The images are stored in correspondence with the identification data in the storing unit. Therefore, the apparatus can help a user to identify a caller easily by looking at the displayed images. Additionally, Kamimura discloses in paragraph 52 the apparatus has a detecting function for ***detecting caller ID information included in an incoming call signal and for detecting an e-mail address included in an incoming message signal***. An incoming message **signal can include text messages, e-mail messages**, short messages, video

messages, and multimedia messages. Furthermore, Kamimura discloses in paragraph 78 to paragraph 81 that the apparatus ***detects an e-mail address in the received incoming message signal***; and the apparatus retrieves personal data from the telephone directory 60a corresponding to ***caller ID information associated with the received incoming message signal***. The apparatus the includes display unit 71 which displays images corresponding to the image patterns included in the personal data read from the telephone directory 60a. Therefore, it should be understood that the received incoming message includes a received incoming message sender identity portion and email text message portion; and based upon the received incoming message sender identity, the apparatus displays an image (predetermine icon) of the received incoming message sender to the user by matching the received incoming message sender identity with the personal data from telephone directory 60a. As explain above, the Examiner contends that the received incoming received message or email message is of a type having a control data portion and a message data portion because of the received incoming message includes the received incoming message sender identity portion (the control data portion includes a message sender identity) and email text message portion (a message data portion).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3-19, 21-24, 26-27 and 29-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jambhenkar et al. (U.S. 6430405) in view Kamimura (Pub. No: 20020094806).

Regarding claim 1, Jambhenkar et al. disclose a communication apparatus comprising:

a controller 115 (fig. 1, col. 3, lines 4-43. Jambhenkar et al. disclose the radio communication device 103 includes an antenna 105, a body housing element 107, and ***a processor 115***. The processor 115 formats the data output from the radio circuitry 113 into a recognizable voice or messaging information for use by the user interface 117. The user interface 117 communicates the received information or voice to a user through the use of the speaker 123 and the display 119);

an interface 105/113 adapted to receive an electronic message (col. 7, lines 10-32. Jambhenkar et al. disclose that if the user desires to read messages and selects a "Read Messages" option, the user may select a particular message type, for example, phone, e-mail, or fax. It is inherent that the interface is able to receive the electronic message in order to display to the user);

a display 119 (fig. 1, col. 3, lines 4-43. Jambhenkar et al. disclose the radio communication device 103 includes an antenna 105, a body housing element 107, a processor 115, and a portion of a user interface 117. ***The user interface 117 includes a display 119***, a microphone 121, a speaker 123, and a keypad 125); and

wherein a memory is adapted to store an association between the or each predefined icon and a sender of electronic messages (Jambhenkar discloses in Figure. 4 and Column 5, line 38 to Column 6, line 10 that when the user selects a phone book directory mode, it prompts the user to

select an image (predefined icon, e.g., work icon, house icon, car icon, SMS icon and E-Mail icon, see Figure. 5) associated with the number (this is a sender message number). The image and associated number will store in the phone book directory).

However, Jambhenkar et al. do not disclose a memory, said memory being adapted to store image data representing at least one predefined icon to be presented on said display so as to indicate receipt of said electronic message; and wherein said controller is adapted to determine a sender of said received electronic message, to match the sender thus determined with the or each predefined icon by way of said association, and to present a matching icon, if any, on said display to indicate receipt of said received electronic message as well as the sender thereof, wherein said electronic message is of a type having a control data portion and a message data portion, the control data portion includes a message sender identity, and the sender of said received electronic message is determined from the message sender identity.

In the same field of endeavor, Kamimura discloses

a controller 100 (fig. 1, [0023] to [0052]);

an interface adapted to receive an electronic message 10 and 11 (fig. 1, [0023] to [0052]);

a display 71(fig. 1, [0023] to [0052]); and

a memory 60, said memory being adapted to store image data representing at least one predefined icon to be presented on said display so as to indicate receipt of said electronic message (fig. 1, [0023] to [0052]),

wherein said memory is adapted to store an association between the or each predefined icon and a sender of electronic messages ([0078] to [0081]).

said controller is adapted to determine a sender of said received electronic message, to match the sender thus determined with the or each predefined icon by way of said association, and to present a matching icon, if any, on said display to indicate receipt of said received electronic message as well as the sender thereof ([0078] to [0081]),

wherein said electronic message is of a type having a control data portion and a message data portion, the control data portion includes a message sender identity, and the sender of said received electronic message is determined from the message sender identity ([0052] and [0078]-[0081]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Jambhenkar et al. by specifically including a controller; an interface adapted to receive an electronic message; a display; and a memory 60, said memory being adapted to store image data representing at least one predefined icon to be presented on said display so as to indicate receipt of said electronic message, wherein said memory is adapted to store an association between the or each predefined icon and a sender of electronic messages; and wherein said controller is adapted to determine a sender of said received electronic message, to match the sender thus determined with the or each predefined icon by way of said association, and to present a matching icon, if any, on said display to indicate receipt of said received electronic message as well as the sender thereof, wherein said electronic message is of a type having a control data portion and a message data portion, the control data portion includes a message sender identity, and the sender of said received electronic message is determined from the message sender identity as taught by

Kamimura, the motivation being in order to help a user identify a sender/caller easily by looking at the displayed images.

Regarding claim 3, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 1. Further, Jambhenkar et al. disclose the apparatus wherein said electronic message is an SMS or MMS message (col. 1, lines 45-55).

Regarding claim 4, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 2. Further, Jambhenkar et al. disclose the apparatus wherein said message sender identity is a telephone number for a mobile telecommunications system, said telecommunication system is on of the following: GSM, UMTS, D-AMPS or CDMA2000 (col. 1, lines 45-55).

Regarding claim 5, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 1. Further, Jambhenkar et al. disclose the apparatus wherein said electronic message is an email message (col. 1, lines 45-55).

Regarding claim 6, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 1. Furthermore, Kamimura discloses the apparatus wherein said controller is configured to simultaneously present a plurality of matching icons on said display to indicate a corresponding plurality of received messages ([0078] to [0081]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Jambhenkar et al. by specifically including the apparatus wherein said controller is configured to simultaneously present a plurality of matching icons on said display to indicate a corresponding plurality of received messages, as taught by Kamimura, the motivation being in order to help a user identify a sender/caller of the received message.

Regarding claim 7, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 1. Furthermore, Jambhenkar et al. disclose the apparatus wherein said controller is configured to display, for each presented matching icon, a numeric indicator to indicate a current number of unread messages received from a respective sender associated with each presented matching icon (col. 6, lines 10-48).

Regarding claim 8, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 1. Furthermore, Jambhenkar et al. disclose the apparatus wherein said controller is configured to enhance the presentation of the or each presented icon with a visual effect such as animation, scrolling, morphing, flashing or changing colors ([0034] to [0063]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Jambhenkar et al. by specifically including the apparatus wherein said controller is configured to enhance the presentation of the or each presented icon with a visual effect such as animation, scrolling, morphing, flashing or changing colors, as taught by Kamimura, the motivation being in order to help the user identifies a particular sender or call.

Regarding claim 9, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 1. Furthermore, Jambhenkar et al. disclose the apparatus further comprising at least one of a phonebook address book or contact book, wherein the association between the or each predefined icon and a sender of electronic messages is stored in an entry in said phonebook, address book or contact book (col. 5, line 38 to col. 6, line 10).

Regarding claim 10, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 9. Further, Kamimura discloses the apparatus wherein the association

comprises a link to an image file, which is stored outside of said phonebook entry, address book entry or contact book entry but inside said memory, and which contains image data that defines the or each predefined icon ([0039] to [0042]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Jambhenkar et al. by specifically including the apparatus wherein the association comprises a link to an image file, which is stored outside of said phonebook entry, address book entry or contact book entry but inside said memory, and which contains image data that defines the or each predefined icon, as taught by Kamimura, the motivation being in order to save memory of the phone book.

Regarding claim 11, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 9. Further, Kamimura discloses the apparatus wherein the association comprises image data that defines the or each predefined icon and is stored in said phonebook entry (842), address book entry or contact book entry ([0039] to [0042]).

Regarding claim 12, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 9. Further, Kamimura discloses the apparatus wherein the association further comprises a message sender, and the send of said received electronic message is determined by comparing the message sender identity in the association and the message sender identity in the received electronic message ([0039] to [0043]. Furthermore, Kamimura discloses in paragraph 78 to paragraph 81 that the apparatus ***detects an e-mail address in the received incoming message signal***; and the apparatus retrieves personal data from the telephone directory 60a corresponding to ***caller ID information associated with the received incoming message signal***. The apparatus the includes display unit 71 which displays images corresponding to the

image patterns included in the personal data read from the telephone directory 60a. Therefore, it should be understood that the received incoming message includes a received incoming message sender identity portion and email text message portion; and based upon the received incoming message sender identity, the apparatus displays an image (predetermine icon) of the received incoming message sender to the user by matching the received incoming message sender identity with the personal data from telephone directory 60a. As explain above, the Examiner contends that the received incoming received message or email message is of a type having a control data portion and a message data portion because of the received incoming message includes the received incoming message sender identity portion (the control data portion includes a message sender identity) and email text message portion (a message data portion)). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Jambhenkar et al. by specifically including the apparatus wherein the association further comprises a message sender, and the send of said received electronic message is determined by comparing the message sender identity in the association and the message sender identity in the received electronic message, as taught by Kamimura, the motivation being in order to inform the user identifies a sender/caller.

Regarding claim 13, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 1. However, Jambhenkar et al. do not disclose the apparatus further comprising an element for adding a new icon to said memory, and element for generating in said memory a new association between said new icon and a sender of electronic messages ([0078] to [0081]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Jambhenkar et al. by specifically including the

apparatus further comprising an element for adding a new icon to said memory, and element for generating in said memory a new association between said new icon and a sender of electronic messages, as taught by Kamimura, the motivation being in order to add or update a new sender/caller into the memory.

Regarding claim 14, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 13. Further, Kamimura discloses the apparatus wherein said means for adding a new icon comprises an image editor in said apparatus ([0039] to [0047]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Jambhenkar et al. by specifically including an apparatus wherein said means for adding a new icon comprises an image editor in said apparatus, as taught by Kamimura, the motivation being in order to add or update a new sender/caller into the memory.

Regarding claim 15, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 13. Further, Kamimura discloses the apparatus wherein said means for adding a new icon comprises a communications interface of said communication apparatus ([0039] to [0047]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Jambhenkar et al. by specifically including the apparatus wherein said means for adding a new icon comprises a communications interface of said communication apparatus, as taught by Kamimura, the motivation being in order to add or update a new sender/caller into the memory.

Regarding claim 16, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 15. Further, Jambhenkar et al. disclose the apparatus wherein said

communications interface is at least one of: a serial interface; a short-range supplementary radio data interface; a WAP compatible interface; and an RF interface for a mobile telecommunications system 105 and 113 (see fig. 1)

Regarding claim 17, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 15. Further, Jambhenkar et al. disclose the apparatus wherein said communications interface is the same as said interface adapted to receive an electronic message (col. 7, lines 10-48).

Regarding claim 18, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 1. Further, Jambhenkar et al. disclose the apparatus wherein said communication apparatus is a portable telecommunication apparatus (col. 1, lines 45-55).

Regarding claim 19, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 21, this claim is rejected for the same reason as set forth in claim 3.

Regarding claim 22, this claim is rejected for the same reason as set forth in claim 4.

Regarding claim 23, this claim is rejected for the same reason as set forth in claim 5.

Regarding claim 24, this claim is rejected for the same reason as set forth in claim 6.

Regarding claim 26, this claim is rejected for the same reason as set forth in claim 7.

Regarding claim 27, this claim is rejected for the same reason as set forth in claim 8.

Regarding claim 29, this claim is rejected for the same reason as set forth in claim 9.

Regarding claim 30, this claim is rejected for the same reason as set forth in claim 10.

Regarding claim 31, this claim is rejected for the same reason as set forth in claim 11.

Regarding claim 32, this claim is rejected for the same reason as set forth in claim 12.

Regarding claim 33, this claim is rejected for the same reason as set forth in claim 13.

Regarding claim 34, this claim is rejected for the same reason as set forth in claim 14.

Regarding claim 35, this claim is rejected for the same reason as set forth in claim 15.

Regarding claim 36, this claim is rejected for the same reason as set forth in claim 16.

Regarding claim 37, this claim is rejected for the same reason as set forth in claim 17.

Regarding claim 38, this claim is rejected for the same reason as set forth in claim 4.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jambhenkar et al. (U.S. 6430405) in view of Kamimura (Pub. No: 20020094806) and further in view of Burns et al. (Pub. No: 20020126146).

Regarding claim 25, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 19. However, Jambhenkar et al. do not disclose a method performed repeatedly for a plurality of received messages so that only the last received message, irrespective of sender, is indicated by its matching icon, if any, on the display.

In the same field of endeavor, Burns et al. disclose a method performed repeatedly for a plurality of received messages so that only the last received message, irrespective of sender, is indicated by its matching icon, if any, on the display (fig. 1A and fig. 1B, [0019] to [0026]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Jambhenkar et al. by specifically including a method performed repeatedly for a plurality of received messages so that only the last received message, irrespective of sender, is indicated by its matching icon, if any, on the display, as taught by Burns et al., the motivation being in order to optimize the screen space available to provide sufficient viewing of information that would otherwise be obscured or truncated. In addition, it is desirable to view the message information within the message list without opening the message when searching quickly for a message.

6. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jambhenkar et al. (U.S. 6430405) in view of Kamimura (Pub. No: 20020094806) and further in view of Hsu (U.S. 5907604).

Regarding claim 28, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 19. However, Jambhenkar et al. do not disclose a method wherein a default icon is presented on said display to indicate said received electronic message, in case no matching icon has been determined.

In the same field of endeavor, Kamimura discloses a method wherein a default icon is presented on said display to indicate said received electronic message, in case no matching icon has been determined (col. 6, lines 44-53)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Jambhenkar et al. by specifically including a method wherein a default icon is presented on said display to indicate said received electronic

message, in case no matching icon has been determined, as taught by Hsu, the motivation being in order to inform the user there is an incoming call and the user determines whether to allow the call to go through or block the call.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dai A Phuong/
Examiner, Art Unit 2617
Date: 04-20-2009

/Patrick N. Edouard/
Supervisory Patent Examiner, Art Unit 2626